

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1365368
Inspection Date(s): 12/11/2018 - 03/14/2019
Issuance Date: 06/10/2019



Citation and Notification of Penalty

Company Name: AJR Landscaping Inc.
Inspection Site: Pond Dr., Washington Twps, NJ 07676

Citation 1 Item 1 Type of Violation: **Serious**

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees, when employees riding in an enclosed utility trailer were exposed to struck-by hazards:

a) Job site at Pond Drive, Washington Township, NJ: Employees were exposed to struck-by hazards when they were transported to the jobsite in the company trailer which was not designed or intended for passenger use, on or about 12/11/2018.

Among other methods, one feasible and acceptable method to correct the hazard is to comply with the Trailer Owner's Manual: "A utility trailer must not be used to carry certain items, such as people, containers of hazardous substances or containers of flammable substances."

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/05/2019
\$2842.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Company Name: AJR Landscaping Inc.

Inspection Site: Pond Dr., Washington Twps, NJ 07676

Citation 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.157(g)(1): An educational program was not provided for all employees to familiarize them with the general principles of fire extinguisher use and the hazards involved with incipient stage fire fighting.

a) Job site at Pond Drive, Washington Township, NJ 07676: When a portable fire extinguisher was provided in the company landscaping trailer for employees to use, portable fire extinguisher training was not provided for the employees, on or about 12/11/18.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$1705.00

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Company Name: AJR Landscaping Inc.
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Citation 1 Item 3 Type of Violation: **Serious**

29 CFR 1910.1000(a)(2): Employees were exposed to an airborne concentration of carbon monoxide listed in Table Z-1 in excess of the 8 hour Time Weighted Average concentration of 50 ppm:

a) Job site at Pond Drive, Washington Township, NJ: Employees riding to the jobsite in an enclosed landscaping trailer were exposed to carbon monoxide from the exhaust generated by a running gasoline powered lawn mower inside the trailer. The employees carbon monoxide exposure level was determined to be 410 ppm as an 8-Hour Time Weighted Average (TWA), 8.2 times the OSHA Permissible Exposure Limit of 50 ppm, on or about 12/11/2018.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/05/2019
\$3978.00

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Citation and Notification of Penalty

Company Name: AJR Landscaping Inc.

Inspection Site: Pond Dr., Washington Twps, NJ 07676

Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

a) Job site at Pond Drive, Washington Township, NJ 07676: A written Hazard Communication Program was not maintained at the workplace where employees worked with hazardous chemicals including Gasoline, on or about 12/11/18.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$2842.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: AJR Landscaping Inc.
Inspection Site: Pond Dr., Washington Twps, NJ 07676

Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.1200(g)(1): The employer did not have a safety data sheet for each hazardous chemical in use:

a) Job site at Pond Drive, Washington Township, NJ 07676: The employer did not have a safety data sheet (SDS) for Gasoline used by the employees at the workplace, on or about 12/11/18.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/05/2019
Proposed Penalty:	\$2842.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Occupational Safety and Health Administration

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Citation and Notification of Penalty

Company Name: AJR Landscaping Inc.
Inspection Site: Pond Dr., Washington Twps, NJ 07676

Citation 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

a) Job site at Pond Drive, Washington Township, NJ 07676: Effective information and training was not provided to the employees when they worked with hazardous chemicals, including Gasoline and were exposed to hazardous combustion by-products, including Carbon Monoxide, generated from the burning Gasoline, on or about 12/11/18.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$2842.00

A handwritten signature in black ink, appearing to read "Lisa Levy".

Lisa Levy
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604



INVOICE / DEBT COLLECTION NOTICE

Company Name: AJR Landscaping Inc.
Inspection Site: Pond Dr., Washington Twps, NJ 07676
Issuance Date: 06/10/2019

Summary of Penalties for Inspection Number	1365368
Citation 1, Serious	\$17051.00
TOTAL PROPOSED PENALTIES	\$17051.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.


If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



- Lisa Levy
Area Director

6/10/19

Date